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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/615,292	07/13/2000	Janusz Kunda	1296-US	4772

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TERADYNE, INC
321 HARRISON AVE
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EXAMINER

JOYCE, WILLIAM C

ART UNIT	PAPER NUMBER
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3682

DATE MAILED: 07/01/2004

Please find below and/or attached an Office communication concerning this application or proceeding.


Office Action Summary

Application No.

09/615,292

Applicant(s)

KUNDA ET AL.

Examiner

William C. Joyce

Art Unit

3682

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 15 March 2004.
 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-13 and 15-28 is/are pending in the application.
 4a) Of the above claim(s) 26-28 is/are withdrawn from consideration.
 5) ☒ Claim(s) 19-25 is/are allowed.
 6) ☒ Claim(s) 1,8 and 15 is/are rejected.
 7) ☒ Claim(s) 2-7, 9-13, and 16-18 is/are objected to.
 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 a) ☐ All b) ☐ Some * c) ☐ None of:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

This Office Action is in response to the amendment filed March 15, 2004 for the above identified patent application.

Claim Rejections - 35 USC 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 1, 8, and 15 are rejected under 35 U.S.C. 102(b) as being anticipated by Nakajima et al. (US Patent 5,642,056).

Nakajima et al. illustrates in Figure 9 a manipulator device comprising an elongated blade (27a,27b) extending from a region outside a test head (22,24,27,82) into an internal region of the test head, an interference coupling (92,93) disposed in the internal region of the test head, the interference coupling having a first portion formed integrally with the elongated blade and a second portion (84a) coupled to the test head, the first and second portions being free to rotate about a bearing member (92a) with respect to each other in compliance about at least one axis of rotation, wherein

With respect to claim 8, the manipulator includes a linear coupling (93) having first and second elongated members, wherein the first and second members are movably coupled to each other.

Allowable Subject Matter

3. Claims 2-7, 9-13, and 16-18 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

4. Claims 19-25 are allowed.

Response to Arguments

5. Applicant's arguments filed March 15, 2004 have been fully considered but they are not persuasive.

The argument that Nakajima does not teach a "manipulator" is not persuasive because the preamble of a claim is given limited patentable weight. Further, the instant claims fail to clearly define the structural arrangement of the manipulator, and therefore the device of Nakajima is considered a "manipulator" inasmuch as the claimed device is a manipulator.

With respect to the limitation defining the "elongated blade extending from a region outside the test head into an internal region of the test head," Figure 9 of Nakajima illustrates an elongated blade (27a,27b) which meets the claim language. More clearly, the blade of Nakajima includes an L-shaped portion disposed on an outside of the test head and a planar portion disposed in an internal portion of the test head. It is understood the planar portion of the blade is connected to a supporting frame (17) by way of the L-shaped portion.

Examiner disagrees with applicant's assertion that "the draftsman of Nakajima took some liberties in presenting Fig. 9." For example, applicant points out that Fig. 9 illustrates the tilt correction unit (91) and the ball hinge unit (92) are spaced by 180 degrees, but the written description describes them as being spaced by 120 degrees. Examiner disagrees with this assessment because the cutting plane from which the cross-sectional view is taken may not be positioned in a single plane. It is common to illustrate a cross sectional view having a complex cutting plane so as to facilitate in illustrating a component.

Referring to the embodiment of Figure 3, Nakajima illustrates an embodiment wherein the tilt correction unit (51) and the ball hinge unit (52) are directly supported on a head plate (17). It is understood that the embodiment of Figure 9 is supported in a similar manner, wherein the tilt correction unit (91) and the ball hinge unit (92) are supported on a head plate (17) by the L-shaped portion.

Applicant's attention is drawn to the head plate (17) and the support member (16) illustrated in Figures 3 and 9. Note, the support member is shown without cross-hatch and the plate member is shown with cross-hatch. Referring to column 4, lines 24+, Nakajima describes the head plate (17) is supported on the support member (16). Similarly, it is understood from the illustration the planar portion of the blade is connected to a supporting frame (17) by way of the L-shaped portion

Conclusion

6. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to William C. Joyce whose telephone number is (703) 305-5114. The examiner can normally be reached on Monday - Thursday 7:30-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David Bucci can be reached on (703) 308-3668. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


William C. Joyce 6/27/04